

WINS CHURCH HISTORY CASE

COURT DECIDES IN FAVOR OF DR. STEVENS' ESTATE

Appellate Division Rules That Bishops Potter and Satterlee Were in No Way Liable and That Stockholders of the Defunct Enterprise Must Pay.

Mrs. Ella M. Stevens, widow of the Rev. Dr. Charles E. Stevens, a prominent Protestant Episcopal churchman who was engaged as New York diocesan editor of the Protestant Episcopal Church in America in 1901 and with the object of obtaining the good will of the ecclesiastical authorities, in Washington, D. C., and following that interview wrote a letter to the Bishop agreeing to contribute 20 per cent. of the gross receipts of the history to the building fund for the Cathedral of St. Peter and St. Paul in Washington. He said the book would become "essentially a national literary monument to the Church." He wrote that he intended to have each Bishop supervise the history of his own diocese and to have an associate editor for each diocese. Wilson got no response to this letter and he wrote again three days later, stating that as a guarantee of good faith he would deposit all money with a Washington trust company, and in addition to the 20 per cent. for the cathedral fund he would place a second 20 per cent. on deposit to "establish a financial basis commensurate with the dignity and scope of the work."

Bishop Satterlee accepted the offer, the understanding being that the cathedral foundation would incur no financial liability for the work. Wilson testified that he saw Bishop Potter of New York, who agreed to become associate editor for New York if Dr. Stevens was employed to write the history of the New York diocese. This arrangement was carried out.

Wilson had no means to finance the enterprise, so he consulted Kisselburgh, Kemp and Van Alstyne. They agreed to organize a corporation and to contribute \$25,000 and agreed that all the stock should be issued to Wilson in exchange for his agreements with Bishop Satterlee and Bishop Potter. Wilson then agreed to transfer one-half of the capital stock to Kemp, Van Alstyne and Kisselburgh. Kemp and Van Alstyne agreed to finance the enterprise and to allow subscriptions had been received to make it self-supporting.

The directors decided that Wilson's agreement with the Bishops was worth \$25,000 and maintained on the trial that they were acting in good faith in transferring the stock to Wilson. The Appellate Division ruled that the directors' agreement did not constitute property for which the stock could be exchanged and that the good faith of the directors is of no avail.

The Appellate Division clears Bishop Satterlee and Bishop Potter of any connection with the enterprise except to supervise the history and that they had withdrawn from the project at any time no action for damages against them would have succeeded. While the cooperation of the Bishops was of great value it did not constitute property for which the stock could be exchanged. The Court holds, and the directors and stockholders are liable. The testimony showed that while the scheme failed for lack of subscriptions a vigorous campaign for contributions was carried on in the New York diocese where Wilson said the late Edmund Clarence Steadman told him his contract was worth \$100,000 as soon as he got Bishop Potter's approval. It developed that solicitors for the book were allowed to use the name of Bishop Satterlee and after many inquiries had been sent to him he wrote to a leading church publication defining his connection with the enterprise and testified that he discharged the solicitor who used Bishop Satterlee's name most freely because he stole a subscription.

The testimony also showed that Dr. Stevens suggested that the canvassers be dismissed because they were not men of sufficient weight and dignity to interview the leading Episcopalians of the city who he expected would contribute.

MRS. CURTIS LOSES AGAIN

Appellate Division Refuses to Order \$5,000 Counsel Fees Paid to Her.

Mrs. Julia Watt Morris Curtis, the heir to one-third of the late Mary G. Pinkney's estate, who failed in proceedings in this State to have the conservatorship of her estate removed in Connecticut in 1907 discharged, asked the Appellate Division of the Supreme Court yesterday for \$5,000 counsel fees out of her estate and a proper amount for her maintenance. Mrs. Curtis wanted the counsel fee to carry on the proceedings now going on in Connecticut to have herself declared sane. She wanted the allowance for her maintenance because she said the conservator of her estate had paid her only \$1,500 since July, 1909, when she started proceedings to have him removed.

The Appellate Division denied Mrs. Curtis's motion on the ground that it has been decided that she is a resident of Connecticut and the courts of New York have no control over her property.

Calder and Fitzgerald Off for Panama

Congressman William M. Calder of Brooklyn, the only Republican representative elected from Greater New York, and Congressman John J. Fitzgerald, his Democratic associate on the Committee on Appropriations, will leave this afternoon for a trip to the Panama Canal Zone.

Thomas F. Ryan Returns From Europe

Thomas F. Ryan, who arrived yesterday by the Canadian, said he would not break his long habit of not giving interviews, but in answer to the question "Have you any views on the election?" he said he had some decided views, but that he did not care to give them out.

Chance for Boys to Go to Annapolis

There will soon be a vacancy at Annapolis to be filled from the Thirteenth Congressional district of New York. Congressman Herbert Parsons announced yesterday that he desired to resign and that the vacancy should be filled by a Democrat at 32 William street not later than December 1.

DUTIES FOR DR. WILSON NOW

Gov. Fort Willing to Consult Him on All Important State Affairs.

TRENTON, N. J., Nov. 11.—Governor-elect Wilson will have an opportunity to-morrow to make his first selection for public office should he so desire. Gov. Fort expects to attend the Yale-Princeton game and if convenient to Dr. Wilson will call upon him for the purpose, among other things, of considering the filling of the vacancy on the Court of Errors and Appeals bench occasioned by the recent death of Judge George R. Gray of Newark.

The reason for taking up the question of a successor so soon is that the November term of the court opens next Tuesday, and it is regarded as desirable that there should be no vacancy of avoidable Gov. Fort might make an ad interim appointment without consulting Dr. Wilson, but it would be useless to do so unless he named a man whom Dr. Wilson would subsequently appoint for a full term. The cases argued at the November term will not be decided until next February, and by that time the term of the ad interim appointee, unless prolonged, would have expired.

If Dr. Wilson is not prepared to suggest an appointment in the near future it is Gov. Fort's intention to leave the judgeship vacant until the expiration of his term next January. If, on the other hand, Dr. Wilson is inclined to offer a suggestion it will be accepted by Gov. Fort without question.

The vacancy may be filled by the appointment of either a lawyer or a layman, the Constitution providing for six special judges, of whom Judge Gray was one, being silent on this point. Several laymen have followed the practice of naming only laymen, upon the theory that this was contemplated at the time the Constitution was adopted. Others, however, have taken the view that the interests of the State were better served by naming lawyers. Of the five special judges now on the bench three are laymen and two lawyers. Judge Gray was of the latter class. He was a Democrat and his successor will likely be of the same political faith.

Dr. Wilson's Princeton Arrangements

Princeton, N. J., Nov. 11.—Expectation has been abandoned at Princeton University of Woodrow Wilson resuming his professorship of politics, which he handed in to the trustees at his last meeting, although he has not formally announced that he will not reconsider Dr. Wilson's resignation. This has been made up his mind to continue his residence in Princeton. The junior class, to whom he has been lecturing this fall, has petitioned him to continue the lectures.

PAN-AMERICAN SOCIETY

Movement to Organize It Has Begun in John Barrett.

WASHINGTON, Nov. 11.—A movement to organize the Pan-American Society of the United States, with headquarters in New York and branches in the other principal cities of the country, has been begun by John Barrett, director-general of the Pan-American Union. The chief purpose of the new organization will be to show hospitality to distinguished Latin Americans who may visit this country and to promote the sentiment of friendship and brotherhood among the American nations through the acquaintance of their representative men.

SENIOR ELKINS IMPROVING

His Former Secretary Says That at No Time Has His Condition Been Serious.

WASHINGTON, Nov. 11.—Senator Elkins of West Virginia, who has been ill for several months and who was brought here on a special train early in the week, is steadily improving according to a report given out at the family residence to-day. Critchfield H. Livingston, former secretary of Senator Elkins and a close friend of the family, made a statement concerning the condition of Mr. Elkins. The senator's ailment is an affliction of the intestines of temporary nature occasioned by something he had eaten. His condition has at no time been serious. He has been improving for the last two weeks. It cannot be said definitely how long he will be confined to his bed. It was only because of the approach of winter which is more rigorous in West Virginia than here, that Senator Elkins decided to come to his residence in Washington.

Movements of Naval Vessels

WASHINGTON, Nov. 11.—The gunboat Castine has arrived at Solomons Island, the tug Potomac at Guantanamo and the gunboat Albatross at San Juan, P. R. The cruiser Washington has sailed from Culebra for Hampton Roads, the cruisers Tennessee and Montana from Charleston for Hampton Roads, the collier Vulcan from Hampton Roads for Cherbourg, the collier Hannibal from Portsmouth, N. H., for Newport News, the gunboat Hist from a trip to the Cape Verde Islands, and the supply ship Glacier from San Francisco for San Diego.

Tribute to a Dead Dog

WASHINGTON, Nov. 11.—This special notice appeared in one of the Washington papers to-night:

Mr. and Mrs. William Felton Ham of 2312 Nineteenth street, Northwest, wish to let their friends and dog know that the little fellow met his death in a distressing accident on the levee of November 8. A sympathetic friend and loving companion, his ten years of life were full of sweetness, gentleness, loyalty and affection.

Army Orders

WASHINGTON, Nov. 11.—These army orders were issued to-day:

First Lieut. Thomas C. Cook, Coast Artillery, to be promoted to Major.

First Lieut. Hamilton B. Smith, Ninth Cavalry, to be promoted to Major.

First Lieut. William H. Hamilton, Coast Artillery, to be promoted to Major.

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2-26 Green Trading Stamps With All Purchases Double Stamps Before Noon, Single Stamps After Noon.

Dry Goods Greenhut & Co. Wearing Apparel

Beautiful Full Length Near-Seal Fur Coats—Special \$78.50

MADE of that superior fur and in the high class finish that not only resembles real sealskin very closely, but retains its fine appearance always.

This special lot of coats came to us under special arrangements that render a liberal saving.

For those women who for reasons of personal preference do not care for pony skin or caracul, or who desire different coats for various occasions, we offer these coats as an unusual opportunity both in the beauty of the garments and the low price.

Made on the newest semi-fitted model with long gracefully cut lines—deep shawl collar and turn back cuffs fastened with self-covered or jeweled buttons, handsomely lined with broad satin. All sizes, 34 to 44. Price while this limited lot lasts... \$78.50 Made to order without extra charge.

Russian Pony Skin and Caracul Fur Coats

In all the good qualities, new models, tailored with characteristic perfection. Moderately priced.

Greenhut & Co., Sixth Avenue, 18th to 19th St.

WE ABUSE OUR PARKS

Stover Also Blames the Drought for the Desolation of the Lawns.

Park Commissioner Charles B. Stover, who is in the city for the first time since his resignation, testified at a meeting of the Parks Commission last night to the desolation of the city parks. He said that the parks have been in a state of desolation since the summer of 1909, and that the drought has made the situation even more serious. He said that the parks have been in a state of desolation since the summer of 1909, and that the drought has made the situation even more serious.

TRADE WITH SOUTH AMERICA

Lewis Nixon Returns Sorry That Closer Business Relations Do Not Exist.

Lewis Nixon, who has been traveling chiefly in South America, for five months, returned yesterday by the Canadian. He said that the business relations between the United States and South America are not as close as they should be, and that he hoped that they would be improved in the future. He said that the business relations between the United States and South America are not as close as they should be, and that he hoped that they would be improved in the future.

SHAKE UP IN FOREST SERVICE

New Assistant Superintendent Ten Game Protectors Removed.

ALBANY, Nov. 11.—State Forest Fish and Game Commissioner Austin to-day removed ten game protectors from the Forest Service. The removals were made as a result of a recent investigation of the Forest Service. The removals were made as a result of a recent investigation of the Forest Service.

Boys' Suits

Mothers of Boys will find some special offerings in the Children's Department of our Cooper Square Store.

Overcoats and Reefers \$5 to \$8; Children's Suits, \$5 to \$15.

Boys' and Youths' Suits in a variety of fabrics and a range of prices to please every taste.

Men's Suits, \$15 to \$40.

An up-to-date line of Fine Furnishings and Hats, including the Browning-King special Derby at \$3, and a full line of Stetson Hats.

Browning King & Company

Broadway at 32nd Street

Cooper Square at 5th Street

Fulton Street, Brooklyn

SHOT WHEN CORNERED

Burglar Seriously Wounded When Cornered in Home He Inhabited.

Henry Rosen, a shoemaker at 103 Madison street, was shot by a burglar early yesterday morning. Rosen, his wife and three children shared the three rooms behind his shop with a boarder. Mrs. Rosen, who sleeps beside a window, was awakened by some one opening the window and crawling over her. The man was firing at the burglar from the far side of the room when Mrs. Rosen's screams awoke her husband.

Struman Matteson Released From Jail

HEMPSTEAD, L. I., Nov. 11.—E. L. Matteson of Los Angeles, who has been locked up in the county jail for a week on the charge of Albert A. Truza, who has an aeronautical school in Garden City, that Matteson stole an airplane motor from his place, was released to-day by Justice of the Peace Charles F. Cirtens. It was shown that Matteson had warned Truza, who was building him an airplane and whom he had paid \$1,500 on account, that he would take the motor away if the work was not hurried up.



Anticipating the demand for convertible collar Overcoats, we manufactured a great stock in three distinct models.

The PRESTO, as shown in cut. The MUTO, self or velvet collar. The WALDORE, double-breasted, in rough tweeds, fine mixtures and plain colors, \$15.50 to \$35.

BOX OVERCOATS. Snappy, stylish coats, light and medium shades in fancy stripes and mixtures, plain black and Oxford, \$15 to \$50.

Six particularly good lots, with self or velvet collars, \$10.50.

VERY SPECIAL. Fur lined coats, Persian lamb collar, \$25. We have sold over 600 of these coats in the last two years and they give satisfaction.

Finer grades, \$32 up to \$200.

Great Coats, Fur Auto Coats.

A. Raymond & Co.

Nassau and Fulton Sts.

For 53 Years

On the same spot and still there.

Our Motor Furs perform well because every fur is the real thing of its kind, and every fur is marked exactly what it is, so you know what to expect.

Fur-outside coats start with good goatskins at \$25, dogskins at \$28, and so on to \$190.

Chaufeurs' fur-lined coats are from \$45 to \$85.

The cloth, or "shell," of every fur-lined coat in our stock is cravenetted.

Everything for Winter motor comfort for owner and chauffeur, including many novelties picked up by our European buyers.

ROGERS PEET & COMPANY.

Three Broadway Stores

Warren St. 13th St. 34th St.

NATIONAL HORSE SHOW

Greatest Exhibition of Horses Ever Held

Madison Square Garden

Nov. 12 to 15, 1910

Admission 50c

Nov. 16 to 18, 1910

Admission 50c

Nov. 19 to 21, 1910

Admission 50c

Nov. 22 to 24, 1910

Admission 50c

Nov. 25 to 27, 1910

Admission 50c

Nov. 28 to 30, 1910

Admission 50c

Nov. 31, 1910

Admission 50c

Nov. 1, 1911

Admission 50c

Nov. 2, 1911

Admission 50c

Nov. 3, 1911

Admission 50c

Nov. 4, 1911

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Admission 50c

Nov. 25, 1911

Admission 50c

O'NEILL-ADAMS & Co. 1868 Established 43 Years 1910 6th Ave., 20th to 22d St.

Still Plenty of Furs at Less Than Furrier's Cost

O'Neill Building—Third Floor.

We have told the story twice before this week, but it bears repeating.

Two furriers who became discouraged because the weather continued warm so long in October, sold their stocks of freshly made and fashionable furs so low that we can pass them on to you at less than the actual cost to produce them.

We give SURETY STAMPS and redeem them in merchandise.

AMUSEMENTS

THE NEW THEATRE

MERRY WIVES OF WINDSOR

THE THUNDERBOLT

THE MERRY WIVES OF WINDSOR

THE MERRY WIVES OF WINDSOR

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